

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	<b>Case No. 1:12 CR 450</b>
	)	
<b>Plaintiff,</b>	)	<b>Judge Dan Aaron Polster</b>
	)	
<b>v.</b>	)	<b><u>ORDER</u></b>
	)	
<b>DEMETRIOUS WRIGHT et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

The Court has reviewed the joint motion (Doc. # 41), filed on behalf of Defendants Demetrious Wright and Martavious Brannon. The motion asks this Court to appoint, at a rate of \$300 per hour, cell-phone technology expert Manfred Schenk of Cherry Biometrics. The motion also seeks advance authorization to exceed the statutory maximum amount of compensation that may be paid to such an expert: \$2400.

Defendants seek the assistance of the expert witness to counter the Government's witness, FBI Special Agent Kevin R. Horan, when he testifies at the upcoming evidentiary. The purpose of the hearing, which is set for May 22, is to determine the admissibility of the Government's cell-phone evidence and analysis. It is expected that the Government will offer the evidence to prove that Defendants were at or near the scene of the alleged bank robbery—the crime for which Defendants were indicted—when it occurred.

The Court finds that, in accordance with 18 U.S.C. § 3006A(e)(1), appointment of the expert is necessary for Defendants' adequate representation and that, in addition, Defendants are financially unable to obtain these expert-witness services.

Accordingly, the Court **GRANTS** Defendants' request to appoint expert witness Manfred Schenk at a rate of \$300 per hour. However, the Court **DENIES** the request for advance authorization to exceed the statutory maximum amount of compensation: \$2400.

**IT IS SO ORDERED.**

/s/ Dan A. Polster April 25, 2013

**Dan Aaron Polster**

**United States District Judge**